

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

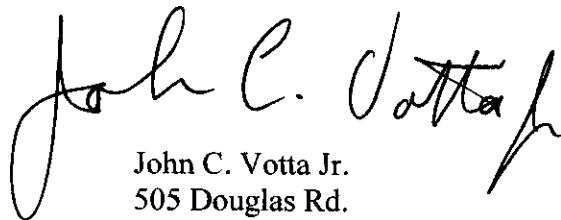
JOHN C. VOTTA JR. ) Civil Action No. 04-10135-GAO  
Plaintiff )  
)  
v. ) PLAINTIFF'S MOTION TO AMEND JUDGMENT  
) PURSUANT TO FED.R.CIV.P. 59(e).  
MARTHA COAKLEY )  
Defendant )

Plaintiff respectfully moves this Honorable Court to amend its judgment entered on May 10, 2004. For reason, this Court's Order on Pending Motions, dated May 7, 2004, does not reflect consideration of Plaintiff's Motion in Opposition to Defendant's Motion to Dismiss Plaintiff's Amended Complaint with supporting memorandum of reasons, (papers 15 and 16). Plaintiff, therefore, respectfully requests consideration, or reconsideration, of the aforementioned papers including consideration of plaintiff's memorandum of law in support of this motion to correct a clear legal error and to prevent a manifest injustice. See Landrau-Romero v.Banco Popular De Puerto Rico, 212 F.3d 607, 612 (1<sup>st</sup> Circ.2000).

Local Rule 7.1(A)(2) Certificate

On May 13, 2004, counsel for the defendant, David M. Lieber, assented to plaintiff's Rule 59(e) motion.

Respectfully submitted,



John C. Votta Jr.  
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon David M. Lieber, A.A.G., Criminal Bureau, One Ashburton Place, Boston, MA.02108, by U.S. mail today. Date: 5-18-04 Signed:

